

ML 299  
03.07.2024  
Court. No. 9  
GB

W.P.A. 15178 of 2023

Papiya Majumdar  
Vs.  
The State of West Bengal & Ors.

*Mr. Shibaji Kumar Das,*  
*Mr. Dipendu Sarkar*

*...for the Petitioner.*

Affidavit-of-service filed in Court today, is taken on record.

Despite service, none appears on behalf of the respondents.

The petitioner is the mother of a minor child who had to be admitted at Apollo Hospitals with certain serious health issues.

It appears that the attending doctor at Apollo Hospitals opined that the MMR vaccination could have been the cause of the illness. It is submitted that the MMR vaccination had been administered in the school allegedly by the health authorities with the involvement of the Bhatpara Municipality. The petitioner has made a request before the authorities for an enquiry in the matter.

The writ petition is disposed of directing the Director of Health Services, Department of Health and Family Welfare to treat the writ petition as a representation and pass an order upon making adequate enquiry and upon obtaining information as to whether any other child suffered a similar incident and whether proper steps had been taken by all

concerned before the vaccination process had taken place. It is also necessary to enquire as to whether the precautions necessary for administering the vaccinations. All necessary parties involved and the petitioner shall be heard. The doctor whose opinion has been relied upon, shall also be heard. A reasoned decision shall be arrived at and communicated. If the authorities find any laches or negligence, then rectifiable measures shall be indicated in the order.

The entire exercise shall be completed within a period of six months from date.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**